

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1881

1 WHEREAS, Hoegemeyer-Palmer Construction has submitted an application
2 designated as Special Permit No. 1881 for authority to develop Eagle View Community
3 Unit Plan consisting of 12 dwelling units on property located at Peregrine Court and Talon
4 Road, and legally described to wit:

5 A portion of Lot 2, Block 1, Sunrise Estates, and Lots 30
6 through 33, Block 2, Eagle Crest Addition, all located in the
7 Northwest Quarter of Section 23, Township 10 North, Range
8 7 East of the Sixth Principal Meridian, City of Lincoln,
9 Lancaster County, Nebraska, more particularly described by
10 metes and bounds as follows:

11 Commencing at the northwest corner of Lot 2, Block 1, Sunrise
12 Estates, and the POINT OF BEGINNING; thence north 89
13 degrees, 34 minutes, 11 seconds west (an assumed bearing)
14 on the north line of Lot 12, Sunrise Hills 2nd Addition, a
15 distance of 61.07 feet to the southwest corner of Lot 30, Block
16 2, Eagle Crest Addition; thence north 00 degrees, 05 minutes,
17 54 seconds east on the west line of said Lot 30, a distance of
18 120.65 feet, to a point on the south line of Peregrine Court;
19 thence north 55 degrees, 23 minutes, 22 seconds east on said
20 south line, a distance of 4.92 feet; thence on a curve to the
21 right, on the south right-of-way line of Peregrine Court, having
22 a radius of 45.00 feet, a central angle of 33 degrees, 27
23 minutes, 00 seconds, a chord bearing of north 73 degrees, 22
24 minutes, 35 seconds east, and a chord distance of 25.90 feet;
25 thence south 89 degrees, 53 minutes, 55 seconds east on said
26 south right-of-way line, and on the north line of Lots 30 through
27 33, a distance of 131.11 feet, to the northeast corner of Lot 33,
28 Block 2, Eagle Crest Addition, to the City of Lincoln; thence
29 south 00 degrees, 06 minutes, 02 seconds west on the east
30 line of said Lot 33, a distance of 131.84 feet to a point on the
31 north line of Block 1, Sunrise Estates, and the southwest
32 corner of Lot 33, Block 2, Eagle Crest Addition; thence south
33 89 degrees, 34 minutes, 11 seconds east on said north line of

1 Sunrise Estates, a distance of 107.64 feet; thence south 00
2 degrees, 25 minutes, 49 seconds west, a distance of 467.14
3 feet; thence north 88 degrees, 50 minutes, 06 seconds west on
4 the northerly line of Lot 2, Block 2, Sunrise Hills 1st Addition, a
5 distance of 36.10 feet; thence north 77 degrees, 17 minutes,
6 59 seconds west on the north lines of Lots 16 and 17, Block 2,
7 said Sunrise Hills 1st Addition, a distance of 224.23 feet to the
8 southwest corner of Lot 2, Block 1, Sunrise Estates; thence
9 north 00 degrees, 08 minutes, 37 seconds east on the easterly
10 line of Lots 18, 17, and 16 Sunrise Hills 2nd Addition, a distance
11 of 94.78 feet; thence north 19 degrees, 52 minutes, 25
12 seconds east on the easterly line of Lots 16, 15, and 14,
13 Sunrise Hills 2nd Addition, a distance of 146.91 feet; thence
14 north 00 degrees, 30 minutes, 21 seconds east on the east line
15 of Lots 14, 13, and 12, Sunrise Hills 2nd Addition, a distance of
16 185.71 feet to the POINT OF BEGINNING, and containing a
17 calculated area of 122,487.42 square feet or 2.81 acres more
18 or less;

19 WHEREAS, the real property adjacent to the area included within the site
20 plan for this community unit plan will not be adversely affected; and

21 WHEREAS, said site plan together with the terms and conditions hereinafter
22 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
23 Code to promote the public health, safety, and general welfare.

24 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
25 Lincoln, Nebraska:

26 That the application of Hoegemeyer-Palmer Construction, hereinafter referred
27 to as "Permittee", to develop Eagle View Community Unit Plan, on the property legally
28 described above, be and the same is hereby granted under the provisions of Section
29 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
30 construction and operation of said community unit plan be in strict compliance with said
31 application, the site plan, and the following additional express terms, conditions, and

1 requirements:

2 1. This permit approves 12 dwelling units.

3 2. The City Council must approve the preliminary plat of Eagle View
4 (#00026); a modification of the requirements of §26.23.140(a) of the Lincoln Municipal
5 Code to permit lots along Eagle View Court to exceed the 3 to 1 lot depth to width ratio;
6 and a modification of the requirements of §26.23.095 of the Lincoln Municipal Code to
7 allow sidewalks to be installed only on the east side of Eagle View Court.

8 3. Before receiving building permits:

9 a. The Permittee must submit a revised and reproducible final
10 plan including five copies.

11 b. The construction plans must conform to the approved plans.

12 c. Final plats within this community unit plan must be approved
13 by the City.

14 4. Before occupying the dwelling units all development and construction
15 must be completed in conformance with the approved plans.

16 5. All privately-owned improvements must be permanently maintained
17 by the Permittee or an appropriately established homeowners association approved by the
18 City Attorney.

19 6. The site plan approved by this permit shall be the basis for all
20 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
21 elements, and similar matters.

22 7. The terms, conditions, and requirements of this resolution shall be

1 binding and obligatory upon the Permittee, its successors, and assigns. The building
2 official shall report violations to the City Council which may revoke the special permit or
3 take such other action as may be necessary to gain compliance.

4 8. The Permittee shall sign and return the City's letter of acceptance to
5 the City Clerk within 30 days following approval of the special permit, provided, however,
6 said 30-day period may be extended up to six months by administrative amendment. The
7 City Clerk shall file a copy of the resolution approving the special permit and the letter of
8 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
9 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001:

Mayor